IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

OP.No. 38566 of 2001(N)

PETITIONER:

M/S.LAXMI STARCH LIMITED, KUNDARA,
KOLLAM REP.BY THE OFFICIAL LIQUIDATOR,
MR.R.V.UNNIKRISHNAN

BY ADV. SRI.A.M.SHAFFIQUE

RESPONDENTS:
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1. **THE SECRETARY , KUNDARA FACTORY WORKERS UNION (UTUC),**
   HO KUNDARA , KOLLAM.

2. **THE SECRETARY, KUNDARA LAXMI STARCH EMPLOYEES FEDERATION CITU,**
   HO, CHARUMMOODU, VELLIMON PO. KOLLAM DISTRICT.

3. **THE SECRETARY, KUNDARA STARCH FACTORY WORKERS UNION AITUC, HO CHARUMMOODU, KUNDARA P.O.**

4. **THE VICE PRESIDENT , LAXMI STARCH FACTORY WORKERS CONGRESS INTUC, VELLIMON PO., KUNDARA.**

5. **SRI.K.P.KOSALA RAMADAS, PRESIDENT,**
   ALL KERALA STARCH & STAFF WORKERS UNION,
   NANTHENCODE, THIRUVANANTHAPURAM.

6. **INDUSRIAL TRIBUNAL, KOLLAM.**

BY ADV. SRI.K.S.MADHUSOODANAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 25/ 05/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.63266/2001 IN OP. NO.38566/2001

DISMISSED

25.05.2007 **SD/- S.SIRI JAGAN, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REVISED AWARD DT.15.9.99 PASSED BY THE INDUSTRIAL TRIBUNAL KOLLAM IN ID. 2/88.

EXT.P2:- COPY OF THE AWARD DT.10.2.92 PASSED BY THE INDUSTRIAL TRIBUNAL, KOLLAM IN ID 2/88.

/TRUE COPY/

tss

S.SIRI JAGAN, J.

OP.No.38566/2001

Dated this the 25th day of May, 2007

JUDGMENT

When this writ petition came up for hearing on 13.3.2007 I passed the following order:-

> "When the matter was taken up for hearing, the learned counsel for respondents 1 to 4 raised a preliminary objection that the official liquidator of the petitioner company could not have filed this original petition without obtaining sanction from the company court under section 457 of the Company's Act. Learned counsel for the petitioner seeks time to get instructions as to whether the official liquidator has so obtained permission of the company court to file this original petition. "

2. The learned counsel has not been able to satisfy that the Official Liquidator has obtained permission of the company court to file this original petition, without which the petitioner could not file this original petition. Accordingly, the original petition is dismissed.

S.SIRI JAGAN, JUDGE.

pmn/

S.SIRI JAGAN, J.

OP.NO.38566/2001
JUDGMENT

25TH MAY, 2007.